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Attorneys for Defendant FACEBOOK, INC.

10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA
13
14 SAN JOSE DIVISION

15 ANGEL FRALEY; PAUL WANG; SUSAN
MAINZER; JAMES H. DUVAL, a minor, by
16 and through JAMES DUVAL, as Guardian ad
Litem; and WILLIAM TAIT, a minor, by and
17 through RUSSELL TAIT, as Guardian ad
Litem; individually and on behalf of all others
similarly situated,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC., a corporation; and DOES
21 1-100,

22 Defendant.
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Case No. CV-11-01726 LHK (PSG)

**DECLARATION OF SANDEEP N. SOLANKI
IN SUPPORT OF DEFENDANT FACEBOOK,
INC.'S REPLY BRIEF IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER**

Date: July 28, 2011
Time: 1:30 p.m.
Courtroom: 4
Judge: Hon. Lucy H. Koh
Trial date: None Set

1 I, Sandeep N. Solanki, declare:

2 1. I am a Litigation Counsel employed by Defendant Facebook, Inc. ("Facebook").
3 Except as otherwise noted, I have personal knowledge of the facts set forth below, and if called as
4 a witness to testify, could and would testify competently thereto.

5 2. In March 2011, shortly after receiving Plaintiffs' complaint, Facebook sent a
6 litigation hold notice to 40 employees that it believed may have information relevant to this
7 action, including, out of an abundance of caution, members of Facebook's executive management
8 team. Facebook also sent the litigation hold notice to members of its Legal department.

9 3. After sending the initial litigation hold, Facebook continued its investigation and
10 expanded the litigation hold group, such that, within two weeks of Plaintiffs serving their initial
11 complaint, 56 Facebook employees were covered by the litigation hold (excluding the Legal
12 department). Facebook later added 7 employees to the litigation hold, for a total of 63 employees
13 (excluding the Legal department).

14 4. The 63 employees covered by the litigation hold include members of the following
15 departments: (i) engineering; (ii) product and internet marketing; (iii) product management; (iv)
16 growth; (v) sales and account management; and (vi) online sales operations. The employees
17 covered by the litigation hold include analyst-, associate-, manager-, and director-level positions.

18 5. The litigation hold notice sent to Facebook employees in this action provides a
19 description of the action, the scope and nature of Facebook's preservation obligations, including
20 the specific types of materials that are subject to the litigation hold, and instructions for
21 contacting the Legal department if any issues arise.

22 6. Facebook also took reasonable steps to identify and preserve potentially relevant
23 data not stored in individual employees' files.

24 7. Facebook likewise took reasonable steps to confirm that no automated document
25 retention or "auto-delete" functionality in its systems would affect the preservation of potentially
26 relevant email and instant message communications.

27 8. In July 2011, Facebook sent a reminder of its ongoing preservation obligations to
28 all 63 employees subject to the litigation hold, as well as to members of its Legal department.

1 The reminder included a copy of the initial litigation hold notice sent in March 2011.

2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct. Executed on July 12, 2011 at Palo Alto, California.
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